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GUDRUN E. HUCKETT DRAUDT			OCAMPO, MARIANNE S	
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GERMANY			1723	

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/868,425

Applicant(s)

DIEMER ET AL.

Examiner

Marianne S. Ocampo

Art Unit

1723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-24 and 26-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-24 and 26-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. The proposed drawing corrections filed on 2-12-04 have not been approved because the drawings introduced new matter. In particular, proposed changes in figure 9 introduced new structural limitations not supported by the original specification, namely the "clamp 49a" and the "bushing 49b". **All new matter must be canceled in response to this office action.**

### *Specification*

2. The amendment filed 2-12-04 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: the addition of "**a clamp 49a and a bushing 49b**" in the second paragraph of page 9 submitted in the amendments filed on 2-12-04.

**Applicants are required to cancel the new matter in the reply to this Office Action.**

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sicard et al. (US 3,294,241) in view of Rahimi et al. (US 5,271,838) and .

5. With respect to claim 21, Sicard et al. disclose a module filter comprising:

- a container comprising at least one container housing (12, 40, 62), a container bottom (36), at least one admission for a non filtrate (capable of being used as an inlet in reverse mode, 34) and a discharge (22, capable of being used as an outlet or discharge in reverse mode) for a filtrate;
- at least one filter module (14) arranged in the container housing comprising several stacked, disk-shaped filter cells (18), each filter cell (18) substantially comprising first and second filter material layers having peripheral edges thereof being connected sealingly, the filter cell (18) having a hollow inner space between the filter material layers and further comprising an

Art Unit: 1723

central opening, wherein the central openings of several filter cells (18) form at least one central channel (98) in fluid communication with the hollow inner space of each of the filter cell (18);

- a support element (20, 118, 120) in each filter cell (18) spacing apart the inner surfaces of each filter material layer and comprising a ring (118, 120) and having an outer diameter, and the ring (118) having openings (134, 124) providing fluid communication between the central channel (98) and the hollow inner space of the filter cell (18);

- the central channel (98) communicating with the admission (34) capable of admitting the non-filtrate in *reverse mode* (i.e. *flow being inside-out instead of outside-in*);

- the container housing (12, 40) having a space surrounding the filter cells (18) wherein the space communicates with the discharge (22 in reverse mode) for the filtrate; and further comprising

- triangular-shaped drainage support bodies (16, 106, 104) arranged between the filter cells (18) wherein at least some portions of the drainage support bodies (16, 106, 104) extend approximately over the outer surface of the filter material layers of the filter cells and having a plurality of drainage channels extending toward an outer rim of the drainage support bodies and further having projections (corrugations on the plate 104) and between the projections, intermediate spaces are defined and form drainage channels capable of being configured to remove the filtrate (in reverse mode), as in figs. 1 – 10 and cols. 1 – 3.

Sicard et al. fail to disclose *the peripheral edges of the filter material layers being spaced from the outer diameter of the support element (i.e. support ring), and the drainage support bodies are circular disc-shaped and extending at least approximately over the entire outer*

*surface of the filter material layers, and the projections thereof projecting axially away and extending in a radial direction of the drainage support bodies.*

6. Rahimi et al. teach a similar module filter to that of Sicard et al., the module filter of Rahimi et al. comprising a container housing (11) having a top and a bottom, at least one admission (13 or 14, depending direction of flow, i.e. either inside-out or outside-in) for non-filtrate and a discharge (14 or 13, respectively) for a filtrate, at least one filter module arranged in the container (11) comprising several stacked disc-shaped filter cells (12), each filter cell (12) substantially comprising first and second filter material layers (20, 20), each filter material layer (20) having an inner surface and an outer surface and peripheral edges that are connected sealingly and the cell (12) having a hollow inner space (21) between the filter material layers (20, 20) and having a central opening, wherein central openings of the filter cells (12) form at least one central channel (17) in fluid communication with the hollow inner space (21) of the filter cells (12) and a support element (15) in each filter cell (12), spacing apart the inner surfaces of the filter material layers (20) the support element (15) comprising a ring and having an outer diameter, wherein the peripheral edges of the filter material layers being spaced from the outer diameter of the support element (15), and the ring (15) having openings providing fluid communication between the central channel (17) and the hollow inner space (21) of the filter cell (12), and the central channel (17) communicating with the (at least one) admission (14) for the non-filtrate (in reverse flow mode/inside-out flow mode), and the container housing (11) having a space surrounding the filter cells (12) which communicates with the discharge (13, in reverse

flow mode) for the filtrate, and further comprising circular disc-shaped drainage support bodies (22) arranged between the filter cells (12) which extend at least approximately over the entire outer surface/circumference of the filter cells (12), the support bodies (22) having a plurality of drainage channels (providing by spaces formed by corrugations in the support bodies 22), as in figs. 1 – 5 and cols. 1 – 6.

It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the filter of Sicard et al., by adding the embodiments taught by Rahimi et al., in order to provide an improved filter design which provides effective support and spacer means to the filter cells, at the same time, provide a filter which can filter a greater amount of fluid, thereby providing greater surface area for filtration since the filter (elements or cells') support and spacer means contacts very little surface of the filter elements or cells, therefore blinding of the filter cells is minimized (see cols. 1 – 5 of Rahimi et al.).

7. Regarding claim 22, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 21 above. Sicard et al. further disclose the filter cells (18) and the drainage support bodies (106, 104) having a descending slope extending from the central channel radially outwardly, as in fig. 1.

8. With regards to claim 23, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 21 above. Sicard et al. have disclosed the filter cells being formed as circular discs and Rahimi et al. further teach the drainage support bodies (22) also formed as

circular discs and have at least substantially the same diameter of the filter cells (12), as in figs. 1 & 5. The same motivation applied in claim 21 is being applied here.

9. Concerning claim 26, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 21 above. Rahimi et al. further teach the support element (15) having an inner diameter matching approximately the diameter of the central opening of each filter cell (12), as in fig. 1. The same motivation applied in claim 21 is being applied here.

10. With respect to claim 28, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 21 above. Rahimi et al. also teach each one of the filter cells (12) further comprising a frame (36 and/or 40, 42) wherein radially outer rims of the first and second filter material layers (20) are being connected by the frame (particularly, 36) to one another, as in fig. 5 and in cols. 5 - 6.

11. With regards to claim 29, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 28 above. Sicard et al. also disclose the filter material of the cells (18) being nonwoven filter cloth, as in fig. 1 and in col. 3.

12. Regarding claim 31, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 21 above. Rahimi et al. further teach the filter further comprising a closure ring arranged axially at the ends of the filter module (stack of filter cells), respectively and



coaxially to the central openings and the filter module comprising several of the filter cells (12) and several of the drainage support bodies (22) alternately stacked to one another, as in fig. 1.

13. Concerning claim 35, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 21 above. Sicard et al. further disclose the filter comprising:

- a central tie rod (44) arranged in the central channel,
- a fastening arrangement (46) and the central tie rod (44) being supported by the fastening arrangement (46) on the container bottom (36) and,
- a drainage cover plate (38) arranged at an upper end of the central tie rod (44), as in fig. 1 and cols. 1 – 2.

14. With respect to claim 37, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 35 above. Sicard et al. also disclose the drainage cover plate (38) being a press plate provided with an axial tie rod (44), as in fig. 1.

15. Claims 24 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sicard et al. and Rahimi et al., as applied to claims 21 and 35, respectively above, and further in view of Trumpf et al. (US 5,49,824).

16. With regards to claim 24, the limitation “said drainage support body” lacks proper antecedent basis in this claim. Since there are a plurality of drainage support bodies mentioned

in the previous claim, it is unclear if the added limitation in claim 24 is only featured in one of these support bodies or not. Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 21 above. Sicard et al., as modified by Rahimi et al., fail to teach *the drainage channels on the support bodies extending in the form of radial beams to a peripheral rim of the drainage support bodies* (for examination purposes, the examiner has considered that the drainage channels in all support bodies are in the form of radial beams extending to a peripheral rim of each one of the support bodies).

17. Trumpf et al. teach a similar module filter to that of Sicard et al. and Rahimi et al., the filter of Trumpf et al. comprising a container (22), a filter module comprising a stack of disc-shaped filter elements, circular disc-shaped drainage support bodies (11 or 10) having a plurality of drainage channels (14 or 13) extending towards an outer rim of the drainage support bodies, wherein the drainage channels are in the form of radial beams that extend to a peripheral rim of the drainage support bodies, as in figs. 3 – 7.

It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the drainage channels of the support bodies of the filter of Sicard et al., as modified by Rahimi et al., by adding the embodiment taught by Trumpf et al., in order to provide an alternative and improved drainage support bodies which not only provide optimum support for the entire surface of the filter elements/cells, but also provide adequate and one-direction drainage for the filtrate. This design for the drainage support bodies would allow filtrate to continually move away from the filter cells/elements without any accumulation across the face of the filter elements/cells which could hinder uniform flow of filtrate out of the filter.

18. Regarding claim 36, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 35 above. Sicard et al., as modified by Rahimi et al., fail to teach the container having a cover and wherein the drainage cover plate is supported by a support cap with support ribs on the container cover.

19. Trumpf et al. teach a similar module filter to that of Sicard et al. and Rahimi et al., the filter of Trumpf et al. comprising a container (22), a filter module comprising a stack of disc-shaped filter elements, circular disc-shaped drainage support bodies (11 or 10) and further a container cover (15, 22) and a drainage cover plate (16 at the lower end of the filter stack/module) which is being supported by a support cap (19) with support ribs onto the container cover (15, 22), as in fig. 1.

It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the filter of Sicard et al., as modified by Rahimi et al., by adding the embodiment taught by Trumpf et al., in order to provide an improved design for the filter which provides effective anchoring and support for the filter module/elements within the container.

20. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sicard et al. and Rahimi et al., as applied to claim 21 above, and further in view of Robinson (US 2,654,440).

Art Unit: 1723

21. With regards to claim 27, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 21 above. Sicard et al., as modified by Rahimi et al., fail to teach the support element comprising a flat annular base body having spaced apart axial projections extending radially strip-shaped on both sides of the base body.

22. Robinson teaches a stacked of filter cells similar to the ones in the filter of Sicard et al., as modified by Rahimi et al., wherein the filter cells (21) of Robinson including a support element (15) spacing apart the filter material layers of the cells (21), the support element comprising a ring and having an outer diameter wherein the peripheral edges of the filter material layers are spaced from the outer diameter of the support element, and the support element (15) comprising a flat annular base body having spaced apart axial projections (17) extending radially strip-shaped on both sides of the base body, as in figs. 3 – 4 and cols. 1 - 2.

It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the support element of the filter of Sicard et al., as modified by Rahimi et al., by adding the embodiment taught by Robinson, in order to provide an improved and alternative design for the support element for each of the filter cells which not only provides adequate spacing means for fluid flow through the filter cells but also provide sufficient support and stability to the filter cells, particularly at the vicinity of the openings (central opening) thereof.

23. Claims 30 and 32 – 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sicard et al. and Rahimi et al., as applied to claims 28 and 31, respectively, and further in view of Diemer (WO 99/19042).

24. With respect to claim 30, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 28 above. Sicard et al., as modified by Rahimi et al., fail to disclose each one of the frames comprising an underside with support knobs and the frames being supported on one another by the support knobs.

25. Diemer (WO 042) teaches a filter module (1), similar to that of Sicard et al and Rahimi et al., comprising several stacked disc-shaped filter cells (2) which comprise first and second filter material layers (5) having its peripheral edges connected sealingly and a hollow inner space between the material layers (5) and a frame (6) wherein radially outer rims of the filter and second filter material layers (5) are connected by the frame (6) to one another, and each one of the frames (6) comprising an underside with support knobs (13) and the frames (6) being supported on one another by the support knobs (13), as in fig. 1 and page 5.

It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the filter of Sicard et al., as modified by Rahimi et al., by adding the embodiment taught by Diemer, in order to provide alternative structural means for sealingly connecting the peripheral edges of the filter material layers of the filter cells to one another, at the same time, the same structural means providing stability and support at the edges of the filter cells, thereby providing a more stable assembly stack of filter cells.

26. Regarding claim 32, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 31 above. Sicard et al., as modified by Rahimi et al., fail to disclose the

filter comprising a securing element configured to secure the alternating stacked filter cells and drainage support bodies and to receive tensile forces and being arranged at a side of the alternating stacked filter cells and drainage support bodies facing the central channel.

27. Diemer also teaches the filter module (1) including a securing element (10) configured to secure the alternating stacked filter cells (2) and drainage support bodies (3) and to receive tensile forces and being arranged at a side of the alternating stacked filter cells and drainage support bodies facing the central channel (15), as also in fig. 1 and page 6.

It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the filter module of Sicard et al., as modified by Rahimi et al., by adding the embodiment taught by Diemer, in order to provide alternative means for stacking and holding the stacked arrangement intact within the container housing of the filter, thereby providing a one-piece assembly which enables replacing and removing of the stack of filter cells/module filter easier and more conveniently.

28. With respect to claim 33, Sicard et al., as modified by Rahimi et al. and Diemer, have taught the limitations of claim 32 above. Diemer further teaches the securing element (10) comprising a metal sleeve and having a mantle surface with a plurality of openings and having end faces (11) and is connected with the end faces (11) positively locking with the closure rings (12), as in figs. 1 – 2. The same motivation applied in claim 32, is applied here.

29. Concerning claim 34, Sicard et al., as modified by Rahimi et al. and Diemer, have taught the limitations of claim 33 above. Diemer also teaches the closure rings (in embodiments 17, 31) having a recess in the form of an annular ring, configured to receive a sealing ring (19 or 32), as in figs. 3 – 4.

It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the closure ring of the filter of Sicard et al., as modified by Rahimi et al., by adding the embodiment taught by Diemer, in order to provide an alternative and improved design for the closure rings which provide a more positive locking engagement between parts of the filter module/stack of filter cells. In this particular instance, the design taught by Diemer would provide a more positive locking engagement between the metal sleeve/central support sleeve of the filter module and the closure ring thereof.

30. Claim 38 and 40 – 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sicard et al. and Rahimi et al., as applied to claim 35 above, and further in view of Diemer (WO 99/19041).

31. With respect to claim 38, Sicard et al., as modified by Rahimi et al., have taught the limitations of claim 35 above. Sicard et al., as modified by Rahimi et al., fail to disclose several filter modules being aligned with the central openings thereof being axially above one another and the modules being secured by the drainage cover plate in the container.

32. Diemer teaches a filter similar to that of Sicard et al. and Rahimi et al., the filter of Diemer including several filter modules (at least two are shown, 8 & 9 in fig. 1) being aligned with central openings thereof being axially above one another and secured by a drainage cover plate (2) in the container (3, 4), as in fig. 1.

It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the filter of Sicard et al., as modified by Rahimi et al., by adding the embodiment taught by Diemer, in order to provide an improved filter which has a greater filtering capacity. In this instance, the case law, *In re Harza* [274 F.2d, 124 USPQ 378 (CCPA 1960)] in which a mere duplication of parts [in this instance, duplication of the filter modules (stack of filter cells) from one to several (including at least two)] for a multiplied effect does not carry any patentable weight or significance unless a new or unexpected result is produced. See also M.P.E.P. section 2144.04 part VI paragraph B.

33. With respect to claim 40, Sicard et al., as modified by Rahimi et al. and Diemer, have taught the limitations of claim 38 above. Sicard et al. further disclose the drainage cover plate (38) being (at least capable of being used as) a press plate provided with an axial tie rod (44), as in fig. 1.

34. Concerning claim 41, Sicard et al., as modified by Rahimi et al. and Diemer, have taught the limitations of claim 38 above. Sicard et al. also disclose the filter further comprising a drainage bottom plate (defined by the upper planar/plate portion of the container bottom (36)



which defines the openings 56 & 24) arranged between the container bottom (lowermost end of the bottom 36) and a lowermost one of the filter modules (8 of Diemer or 14 of Sicard et al.) and the drainage bottom plate having a recess (56) in an area neighboring the discharge (24, 22 in reverse flow mode, i.e. inside-out flow mode), as in fig. 1.

35. Regarding claim 42, Sicard et al., as modified by Rahimi et al. and Diemer, have taught the limitations of claim 38 above. Sicard et al. also disclose the filter comprising a pressing device (in the form of the plate 38 in combination with the tie rod 44 and fastening element 50) configured to secure the filter modules (8 & 9 of Diemer and/or 14 of Sicard et al.) between the drainage cover plate (36) and the drainage bottom plate, as in fig. 1.

36. With regards to claim 43, Sicard et al., as modified by Rahimi et al. and Diemer, have taught the limitations of claim 42 above. Sicard et al. also disclose the container having a cover (38) and the pressing device being supported externally of the container on the container cover (38), as in fig. 1.

37. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sicard et al., Rahimi et al. and Diemer, as applied to claim 42 above, and further in view of Fleck et al. (US 2,692,686).

38. With respect to claim 44, Sicard et al., as modified by Rahimi et al. and Diemer (WO 042) , have taught the limitations of claim 42 above. Sicard et al., as modified by Rahimi et al. and Diemer, fail to teach the pressing device being supported inside the container on the container bottom by the central tie rod and the fastening arrangement.

39. Fleck et al. teach a filter similar to that of Sicard et al., the filter of Fleck et al. including a container (1) having a container bottom (lower end opposite the top cover 5), a stack of several disc-shaped filter elements (13) and a central tie rod (6) being supported by a fastening arrangement (23) on the container bottom, and a pressing device (14 – 16) being supported inside the container (1) on the container bottom by the tie rod (6) and the fastening arrangement (23), as in figs. 1 – 2 and cols. 1 – 3.

It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the filter of Sicard et al., as modified by Rahimi et al. and Diemer, by adding the embodiment taught by Fleck et al., in order to provide an alternative design for the filter which provides separate closure means for the container and pressing means for the filter cells, thereby allowing opening and removal of the container cover for inspection of the contents of the container at any time without having to release pressure applied by the pressing device on the filter cells.

40. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sicard et al., Rahimi et al. and Diemer, as applied to claim 38 above, and further in view of Trumpf et al. (US 5,49,824).

41. Regarding claim 39, Sicard et al., as modified by Rahimi et al. and Diemer (042), have taught the limitations of claim 38 above. Sicard et al., as modified by Rahimi et al. and Diemer, fail to teach the container having a cover and wherein the drainage cover plate is supported by a support cap with support ribs on the container cover.

42. Trumpf et al. teach a similar module filter to that of Sicard et al., Rahimi et al. and Diemer, the filter of Trumpf et al. comprising a container (22), a filter module comprising a stack of disc-shaped filter elements, circular disc-shaped drainage support bodies (11 or 10) and further a container cover (15, 22) and a drainage cover plate (16 at the lower end of the filter stack/module) which is being supported by a support cap (19) with support ribs onto the container cover (15, 22), as in fig. 1.

It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the filter of Sicard et al., as modified by Rahimi et al. and Diemer, by adding the embodiment taught by Trumpf et al., in order to provide an improved design for the filter which provides effective anchoring and support for the filter module/elements within the container.

#### ***Response to Arguments and Amendments***

43. Applicants' arguments and amendments with respect to claims 21 – 24 and 26 - 44 have been considered but are moot in view of the new grounds of rejections set forth above.

Art Unit: 1723

44. Applicant's amendment necessitated the new grounds of rejections presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

#### ***Conclusion***

45. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marianne S. Ocampo whose telephone number is (571) 272-1144. The examiner can normally be reached on Mondays to Fridays from 8:30 A.M. to 4:30 P.M..

Art Unit: 1723

46. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker can be reached on (571) 272-1151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

47. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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